

2024-010600

Klamath County, Oregon

12/09/2024 08:27:01 AM

Fee: \$107.00

RECORDING REQUESTED BY:

Nathan F. Smith, Esq.
c/o Trustee Corps

**WHEN RECORDED MAIL DEED
AND TAX STATEMENT TO:**

Lakeview Loan Servicing, LLC
c/o M&T Bank
1 Fountain Plaza
Buffalo, NY 14203

TS No OR08000110-23-3S

APN 552397

Title Order No 240196999

TRUSTEE'S DEED

Consideration Amount **\$150,196.90**

THIS INDENTURE, made **December 2, 2024**, between **Nathan F. Smith, Esq. c/o Trustee Corps**, hereinafter called the first party and **Lakeview Loan Servicing, LLC**, hereinafter called the second party;

Pursuant to said Notice of Sale, the undersigned Trustee on **December 2, 2024 at 10:00 AM** of said day, in accord with the Standard of Time established by ORS 187.110 which was the day and hour set in the Notice of Sale and at the place so fixed for sale, as aforesaid in full accordance with the laws of the State of Oregon and pursuant to the powers conferred upon said Trust Deed, sold said real property in one parcel at public auction to the said second party for the sum of **\$150,196.90** said second party being the highest and best bidder at such sale and said sum being the highest and best sum bid for said property.

WITNESSETH:

RECITALS: Trust Deed dated September 24, 2016, made to DANIEL S. HEAVILIN; A SINGLE MAN as Grantor, executed and delivered to AMERITITLE, INC. as Trustee, for the benefit of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), as designated nominee for LOANDEPOT.COM, LLC DBA IMORTGAGE, Beneficiary of the security instrument, its successors and assigns and recorded on September 30, 2016 as Instrument No. 2016-010441 of official records in the Office of the Recorder of Klamath County, Oregon.

In said Trust Deed the real property therein and hereinafter described was conveyed by said Grantor to said Trustee to secure, among other things, the performance of certain obligations of the Grantor to the said Beneficiary. The said Grantor thereafter defaulted in Grantor's performance of the obligations secured by said Trust Deed as stated in the Notice of Default hereinafter mentioned and such default still existed at the time of the sale hereinafter described.

By reason of said default, the owner and holder of the obligations secured by said Trust Deed, being the Beneficiary therein named, or Beneficiary's successor in interest, declared all sums so secured immediately due and owing; a Notice of Default, containing an election to sell the said real property and to foreclose said Trust Deed by advertisement and sale to satisfy Grantor's said obligations was recorded on **July 19, 2024** as Instrument No. **2024-006317** in the Mortgage Records of Klamath County, to which reference now is made.

After the recording of said Notice of Default, as aforesaid, the undersigned Trustee gave notice to the Grantor(s) and occupant(s) as required by and in accordance with ORS 86.756, by mailing said Danger Notice by both first class and certified mail with return receipt requested. The mailing of said notice is shown by an affidavit of mailing recorded prior to sale date. In addition, the undersigned Trustee gave notice of the time for and place of sale of said real property as fixed by the Trustee and as required by law; copies of the Trustee's Notice of Sale were served pursuant to ORCP 7 D(2) and 7 D(3) or mailed by both first class and certified mail with return receipt requested, to the last known address of the persons or their legal representatives, if any, named in ORS 86.764 (2) and (4), at least 120 days before the date the property was sold, and the Trustee's Notice of Sale was mailed by first class and certified mail with return receipt requested, to the last-known address of the guardian, conservator or administrator or executor of any person to whom such notice was required under ORS 86.764 (4) promptly after the Trustee received knowledge of the disability, insanity or death of any such person; the Notice of Sale was served upon occupants of the property described in the Trust Deed in the manner in which a summons is served pursuant to ORCP 7 D(2) and 7 D(3) at least 120 days before the date the property was sold, pursuant to ORS 86.774. If the foreclosure proceedings were stayed and released from the stay, copies of an Amended Notice of Sale in the form and manner required by ORS 86.782(12) were mailed by registered or certified mail to the last known address of those persons listed in ORS 86.764 and ORS 86.774 and to the address provided by each person who was present at the time and place set for the sale which was stayed within 30 days after the release from the stay. Further, pursuant to ORS 86.774(2), the Trustee published a copy of said Notice of Sale in a newspaper of general circulation in each county in which the said real property is situated, once a week for four successive weeks; the last publication of said notice occurred more than twenty days prior to the date of such sale. In accordance with ORS 86.782(2), if the foreclosure sale was postponed for one or more periods that total not more than 180 days from the original sale date, a copy of each postponement notice giving the new sale date, time, and place was mailed at least fifteen-days before the new sale date in the manner required under ORS 86.764 to the grantor and to any person whom notice of the sale was given under ORS 86.771. Any and all notice of postponements were also made by public proclamation at the time and place set for sale. The mailing, service and/or publication of said Notice of Sale are shown by one or more affidavits or proofs of service duly recorded at least five-days prior to the date of sale in the official records of said county along with the affidavit of beneficiary's compliance with the foreclosure avoidance requirements under ORS 86.748. Said affidavits and proofs, together with said Notice of Default and Election to Sell, the Trustee's Notice of Sale, Danger Notice along with any Amended Notice thereto and any such Notice of Postponement of Sale, being now referred to and incorporated in and made a part of this Trustee's Deed as fully as if set out herein verbatim. The undersigned Trustee has no actual notice of any person, other the persons named in said affidavits and proofs as having or claiming a lien on or interest in said described real property, entitled to notice pursuant to ORS 86.764.

NOW THEREFORE, in consideration of said sum paid by the second party in cash, or by credit bid if the second party was the beneficiary of said Trust Deed, the receipt whereof is acknowledged, and by the authority vested in said trustee by the laws of the State of Oregon and by said Trustee's Deed, the Trustee does hereby convey unto the second party all interest which the Grantor had or had the power to convey at the time of Grantor's execution of said Trust Deed, together with any interest the said Grantor or Grantor's successors in interest acquired after the execution of said Trust Deed in and to the following described real property, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

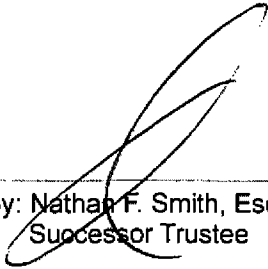
TO HAVE AND TO HOLD the same unto the second party, second party's heirs, successors-in-interest and assigns forever.

In construing this instrument and whenever the context so requires, the singular includes the plural; the word "Grantor" includes any successor in interest to the Grantor as well as each and all other persons owing an obligation, the performance of which is secured by said Trust Deed, the word "Trustee" includes any successor Trustee, the word "Beneficiary" includes any successor in interest of the Beneficiary first named above, and the word "person" includes corporation and any other legal or commercial entity.

IN WITNESS WHEREOF, the undersigned Trustee has hereunto executed this document; if the undersigned is a corporation, it has caused its corporate name to be signed and its seal affixed hereto by an officer or another person duly authorized thereunto by order of its Board of Directors.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations, before signing or accepting this instrument. The person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

Dated: 12/05/2024

By:  Nathan F. Smith, Esq.
Successor Trustee

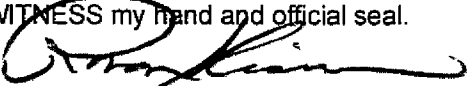
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

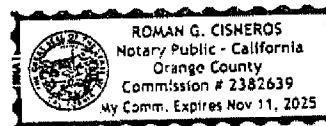
State of CALIFORNIA
County of ORANGE

On 12/05/2024 before me, ROMAN G. CISNEROS, Notary Public, personally appeared NATHAN F. SMITH, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of CALIFORNIA that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Notary Public Signature



(RESERVED FOR RECORDER USE)

GRANTOR'S NAME AND ADDRESS: State of

Nathan F. Smith, Esq.
c/o TRUSTEE CORPS
17100 Gillette Ave
Irvine, CA 92614

County of

I certify that the within instrument was received for record on the
_____ day of _____, at

GRANTEE'S NAME AND ADDRESS: _____ o'clock _____ M, and recorded in book / reel / volume no.

Lakeview Loan Servicing, LLC
c/o M&T Bank
1 Fountain Plaza
Buffalo, NY 14203

_____ on page _____
or as fee / file instrument / microfilm / reception no.
_____, Record of Mortgages

AFTER RECORDING RETURN TO: of said County.

M&T Bank
1 Fountain Plaza
Buffalo, NY 14203

Witness my hand and seal of County Affixed.

UNTIL REQUESTED, SEND ALL
TAX STATEMENTS TO:

Name

Lakeview Loan Servicing, LLC
c/o M&T Bank
1 Fountain Plaza
Buffalo, NY 14203

By _____ Deputy

EXHIBIT "A"

A parcel of land situated in the S1/2 SE1/4 NW1/4, Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at an iron pin marking the southeast corner of the SE1/4 NW1/4 of said Section 11, said point being the Northeast corner of "Perry's Addition to Lloyds Tracts" Subdivision; thence South 89 degrees 50' West along the South line of the S1/2 SE1/4 NW1/4 of said Section 11, said line being the North line of "Perry's Addition to Lloyds Tracts" Subdivision a distance of 141.90 feet to an iron pin on the Easterly right of way line of Hope Street; thence North 0 degrees 17' East along the Easterly line of Hope Street a distance of 470.43 feet to a point; and the true point of beginning of the tract to be hereinafter described, thence North 89 degrees 50' East 142.79 feet, more or less, to the East line of the S1/2 SE1/4 NW1/4 of said Section 11; thence North 0 degrees 23' 33" East along the East line of the S1/2 SE1/4 NW1/4 of said Section 11, 94.81 feet to a point; thence South 89 degrees 54' 15" West 142.97 feet, more or less to a point on the East line of Hope Street; thence South 0 degrees 17' West along the East line of Hope Street 95 feet to the true point of beginning.